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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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Room 222  
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IN REPLY REFER TO:

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FEB 23 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable Phil Gramm  
United States Senator  
2323 Bryan Street, Suite 1500  
Dallas, Texas 75201

Dear Senator Gramm:

This is in reply to your letter of February 1, 1993, in which you inquired on behalf of your constituent, Johnnie F. Roper, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Roper is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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Honorable Phil Gramm

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller".

Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures:

Notice

Order

Discussion paper

Incoming correspondence

# Congressional

DUE: 5-12-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
02/05/93

## LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP.	DATE DUE	DATE DUE OLA(857)
9300417	02/05/93	02/01/93	02/18/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Phil Gramm	BC

CONSTITUENT'S NAME	SUBJECT
Johnnie F Roper	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE/amm 2-5-93			
DATE	DATE	DATE	DATE
02/05/93			

REMARKS: Respond to the attention of Georg'a Brown in the  
Dallas, TX office.

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Phil Gramm  
Texas

United States Senate

MEMORANDUM

Date: 2/1/93

PRB  
92-235  
417

**Federal Communications Commission  
Office of Congressional Affairs  
1919 "M" Street, NW  
Washington, D.C. 20554**

**A constituent has sent the enclosed communication. A response which addressed his/her concerns would be appreciated.**

**Please send you response, together with the constituent's correspondence, to the following address:**

**Office of Senator Phil Gramm  
2323 Bryan Street, Suite 1500  
Dallas, Texas 75201**

**Attention: Georg'a Brown**

January 26, 1993

The Honorable Phil Gramm  
1205 Texas Ave.  
Room 113  
Lubbock, Tx. 79401

Dear Senator Gramm:

I am retired and spend many hours building and operating radio-controlled airplanes. I own 4 radios, 8 models and many other products necessary for the safe operation of my models.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The preceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the frequencies currently assigned for RC model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making(NPRM) in Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for the safe use of RC aircraft and surface models by keeping a 10 Khz spacing between fixed commercial users and frequencies used by RC enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 frequencies in the 72 MHz band(for RC aircraft) and 10 of the 30 frequencies in the 75 MHz band(for RC cars and boats) now used by hobbyists. In fact more frequencies will likely be affected.

When we operate our RC models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation of land mobile radio users at the expense of radio-controlled modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and equipment.

Please help me continue the safe enjoyment of my hobby by not allowing the FCC to carry out its proposal Docket 92-235. We need your help urgently because the FCC has a deadline of February 26, 1993, after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,

*Johnnie L. Rozer*  
Rt. 10, Box 76  
Lubbock, TX 79404